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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.    | CONFIRMATION NO. |
|-----------------|-------------|------------------------|------------------------|------------------|
| 10/810,135      | 03/26/2004  | Brian Patrick Castello | 18063 (AT: 20958-2116) | 8840             |

7590 06/13/2005

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| EXAMINER |
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HAMMOND, BRIGGITTE R

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| ART UNIT | PAPER NUMBER |
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2833

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/810,135

Applicant(s)

CASTELLO ET AL.

Examiner

Brigitte R. Hammond

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-8 and 10-19 is/are pending in the application.
- 4a) Of the above claim(s) 13-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8 and 10-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's traversal is acknowledged. In response to applicant's arguments that searching both inventions would not be a serious burden on the Examiner. The Examiner replies that the restriction requirement was "because the subcombinations are distinct from each other if they are shown to be separately usable" not because it would be a serious burden on the Examiner. Because the subcombinations are distinct from each other and are shown to be separately usable, the restriction is proper and final.

This application also contains claims 13-19 drawn to an invention nonelected with traverse in Papers dated March 11, 2005. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,7 and 8 are rejected under 35 U.S.C. 103(a) as being as being unpatentable over Briggs et al. 5,125,849 in view of Romano 4,193,108. Regarding claim 1, Briggs discloses a guide module 30 comprising: a body 31 having opposed top and bottom surfaces said body includes a front face between said top and bottom surfaces defining a receptacle 40; and a locating feature 32 located on one of said body

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top and bottom surfaces, said locating feature establishing a stack height that could be used for a secondary circuit board with respect to a primary circuit board. Briggs does not disclose the bottom surface having a step for engaging a circuit board. However, discloses a step 50 configured for engaging a circuit board. It would have been obvious to one of ordinary skill to modify the module of Briggs by providing a step as taught by Romano for engaging a circuit board.

Regarding claim 7, Briggs discloses a guide module 30 that could be used for connecting primary and secondary circuit boards comprising: a body 31 including opposed top and bottom surfaces; and a locating feature 32 located on one of said body top and bottom surfaces, said locating feature defining a stacking plane for the secondary circuit board when the secondary circuit board is coupled to the primary circuit board. Briggs does not disclose the bottom surface having a step for engaging a circuit board. However, discloses a step 50 configured for engaging a circuit board. It would have been obvious to one of ordinary skill to modify the module of Briggs by providing a step as taught by Romano for engaging a circuit board.

Regarding claims 2 and 8, guide module 30 includes a front face defining a plane that is aligned perpendicular to a mating direction of the primary and secondary boards.

Claims 5,6,11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Briggs et al. and Romano as applied to claim 1 above, and further in view of Speraw et al 5,018,982. Regarding claims 5 and 11, Briggs and Romano disclose the invention substantially as claimed. Neither Briggs nor Romano disclose the locating feature comprising a raised fitting/boss, said raised fitting including a top surface

defining a hole for receiving a fastener. However, Speraw et al. discloses a guide module 40 having a locating feature comprising a raised fitting, said raised fitting including a top surface defining a hole for receiving a fastener 19. Therefore, it would have been obvious to one of ordinary skill to modify the guide module of Briggs et al. (as modified by Romano) by providing a locating feature comprising a raised fitting and a hole for securing the boards as taught by Speraw et al.

Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Briggs et al. and Romano in view of Crowley 5,963,432. Regarding claims 4 and 10, Briggs and Romano disclose the invention substantially as claimed. Neither Briggs nor Romano disclose the locating feature comprising a raised fitting with a centering rib. However, Crowley discloses a guide module 200 having a locating feature comprising a raised fitting with a centering rib 270. Therefore, it would have been obvious to one of ordinary skill to modify the guide module of Briggs et al./ Romano by providing a locating feature comprising a raised fitting and a rib for securing the boards as taught by Crowley.

### ***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Briggs and Romano disclose the invention substantially as claimed except for the locating feature comprising a raised fitting/boss and the raised fitting including a top surface defining a hole for receiving a fastener. However, these features are taught by Speraw et al. Therefore, it would have been obvious to one of ordinary skill to modify the guide module of Briggs et al. (as modified by Romano) by providing a locating feature comprising a raised fitting and a hole for securing the boards.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is 571-272-2006. The examiner can normally be reached on Mon.-Thurs. and Alternate Fridays from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Brigitte R. Hammond  
Primary Examiner  
Art Unit 2833

June 8, 2005